



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAC) NO.78 OF 2024
IN
CIVIL REVISION APPLICATION STAMP NO.15290 OF 2024

Rajesh Ramesh Agrawal
Vs.
Anita @ Aradhana Anupji Murarka and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. I. A. Fadvi, Counsel for the applicant.
Mr. Sawan Alaspurkar, Counsel for the respondent No.1.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 29/01/2025

1. By this application, the applicant is seeking condonation of delay of 52 days.
2. As per the contention of the applicant that he has challenged the order passed by the learned 3rd Joint Civil Judge Senior Division, Amravati, rejected the application filed by the applicant under Order VII Rule 11 of the Code of Civil Procedure. However, delay of 52 days which is caused in preferring the application as the applicant was unable to get any proper guidance and thereafter, he approached to the Counsel and obtained the certified copies, due to which the delay of 52 days is caused. There is sufficient and reasonable cause for condonation of delay. The delay caused is not intentional one. In view of that delay be condoned.

3. Learned Counsel for the respondent strongly opposed for the same on the ground that the delay is not properly explained.

4. After hearing both the sides and on going through the reasons mentioned in the application which appears to be just and reasonable cause for condonation of delay. It is well settled that while considering the delay application liberal approach is to be taken and not the pedantic approach. In view of that the application is allowed subject to the cost of Rs.2000/-. The applicant shall deposit the cost in this Court within two weeks. Learned Counsel for the respondent No.1 is at liberty to withdraw the cost amount on its payment.

5. The application is disposed of.

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1. Learned Counsel Mr. Sawan Alaspurkar, waives notice for the non-applicant No.1.

2. Issue notice to the non-applicant Nos.2 and 3, returnable on 26.2.2025.

(URMILA JOSHI-PHALKE, J.)